8/03/06 8:50:35 BK 535 PG 633 DESOTO COUNTY, MS W.E. DAVIS, CH CLERK

Prepared By & Return to: Austin Law Firm, P.A 6928 Cobblestone Drive, Suite 100 Southaven, MS 38672 (662) 890-7575 Phone (662) 890-7576 Fax

ELLEN RAMONA DONALDSON, **GRANTOR** 

TO

**QUITCLAIM** 

**DEED** 

ELLEN RAMONA DONALDSON AND DAVID R. DONALDSON, TRUSTEE OF THE ELLEN RAMONA DONALDSON REVOCABLE LIVING TRUST **DATED JULY 7, 2006 GRANTEE** 

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, Ellen Ramona Donaldson, does hereby sell, convey, and quitclaim unto Ellen Ramona Donaldson and David R. Donaldson, Trustees under the Ellen Ramona Donaldson Revocable Living Trust, dated July 7, 2006, the land lying and being situated in DeSoto County, Mississippi, described as follows, to-wit:

## SEE ATTACHED EXHIBIT "A"

Attached hereto is the Proof of Trust of Ellen Ramona Donaldson Revocable Living Trust dated July 7, 2006

Taxes for the year 2006 shall be paid by the Grantee herein. Possession is given with this deed.

**WITNESS** my signature this the  $2^{20}$  day of July, 2006.

ELLEN RAMONA DONALDSON

GRANTOR

NOT TITLE WORK REQUSTED OR PREPARED.

STATE OF MISSISSIPPI **COUNTY OF DESOTO** 

This day personally appeared before me, the undersigned authority in and for said County and State, the within named, Ellen Ramona Donaldson, who acknowledged that she signed and delivered the above and foregoing Quitclaim Deed as her free and voluntary act and deed and for the purposes therein expressed.

Given under my hand and official seal of office, this the  $2^{nd}$  day of July, 2006.

My Commission Expires:

Notary

Grantors Address: 100 Malone Road Hernando, MS 38632

Home Phone Number: (662) 429-6351 Business Number: (662) 429-6351

Grantees Address: 100 Malone Road Hernando, MS 38632

Home Phone Number: (662) 429-6351 Business Number: (662) 429-6351

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## Exhibit "A"

Part of the northwest quarter of the northwest quarter of Section 2, Township 3, Range 7 West, DeSoto County, Mississippi, described as beginning at the northwest corner of said section; thence north 85°10' east 660 feet to a stake; thence south 4°50' east 660 feet to a stake; thence south 85°10' west 660 feet to an iron pin; thence north 4°50' west 660 feet to the point of beginning and containing 10 acres and containing 0.607 acres of right of way for Byhalia Road and 0.607 acres of right of way for Malone Road, thereby containing a total of 1.21 acres of right of way, as shown by the survey of John W. McCormack dated November, 1969.

LESS AND EXCEPT: TRACT 1: Commencing at a cotton picker spindle recognized as the northwest corner of Section 2, Township 3, Range 7 West, DeSoto County, Mississippi; thence north 85°10' east - 40.0 feet along the north line of said section to a point; thence south 04°50' east - 40.0 feet to a point being the intersection of the south right of way of Byhalia Road and the east right of way of Malone Road, said point being the northwest corner and the point of beginning of the described tract; thence north 85°10' east - 23°.34 feet along the south right of way of Byhalia to an iron pin; thence south 04°50' east - 182.00 feet to an iron pin; thence south 85°10' west - 239.34 feet to an iron pin in the east right of way of Malone Road; thence north 04°50' west - 182.00 feet along said east right of way of Malone Road to the point of beginning, containing 1.0 acres, more or less, as per the survey of Walter R. Powell, R.L.S., Mississippi No. LS 1685, dated March 17, 1976.

TRACT II: Commencing at a cotton picker spindle recognized as the northwest corner of Section 2, Township 3, Range 7 West, DeSoto County, Mississippi; thence north 85°10' east - 279.34 feet along the north line of said section to a point; thence south 04°50' east - 40.00 feet to an iron pin set in the south right of way of Byhalia Road, said iron pin being the northwest corner and the point of beginning of the described tract; thence north 85°10' east - 239.34 feet along the south right of way of Byhalia Road to an iron pin; thence south 04°50' east - 182.00 feet to an iron pin; thence south 85°10' west - 239.34 feet to an iron pin; thence south 85°10' west - 239.34 feet to an iron pin; thence north 04°50' west - 182.00 feet to the point of beginning containing 1.0 acres, more or less, as per the survey of Walter R. Powell, R.L.S., Mississippi No. LS 1685, dated March 17, 1976.

## LESS AND EXCEPT:

Description of a 1.00 acre tract of land being located in the Northwest Quarter of Section 2, Township 3 South, Range 7 West, DeSoto County, Mississippi; being more particularly described as follows, to-wit:

Begin at the northwest corner of Section 2, Township 3 South, Range 7 West, said point being the present centerline intersection of Byhalia Road and Malone Road; thence north 85°10'00" east 660.00 feet with the northerly line of said section and along the centerline of Byhalia Road to a point; thence south 04°50'00" east 40.00 feet to the True Point of Beginning for the herein described tract; thence continue south 04°50'00" east 308.27 feet along an existing fence to a point; thence south 85°10'00" west 141.30 feet to a point; thence north 04°50'11" west 308.27 feet to a point in the southerly line of Byhalia Road; thence north 85°10'00" east 141.31 feet with the southerly line of Byhalia Road to the point of beginning containing 1.00 acres of land being subject to all codes regulations and revisions, easements and right of ways of record; as per survey made by Smith Engineering Co., Inc., dated August 9, 1988.

This Instrument Prepared By GAINES & ASSOCIATES<sup>PLLC</sup> 1770 Kirby Parkway, Suite 134 Memphis, TN 38138

## PROOF OF TRUST

TO WHOM IT MAY CONCERN: This Proof of Trust is offered to you in consideration of your opening and/or maintaining accounts for the trust named below, the undersigned certifies as follows:

1. The name of the trust is:

ELLEN RAMONA DONALDSON REVOCABLE LIVING TRUST, dated July 7, 2006, ELLEN RAMONA DONALDSON and DAVID R. DONALDSON, Trustees.

- The name of the Trustmaker: ELLEN RAMONA DONALDSON.
- 3. The names of the currently acting Trustees of the trust: ELLEN RAMONA DONALDSON and DAVID R. DONALDSON.

When ELLEN RAMONA DONALDSON and DAVID R. DONALDSON are both serving as Trustees, neither of them shall be authorized, in their fiduciary capacity, to execute any documents or have individual authority with respect to any asset of the Trust without the joinder of the other and not may act for and conduct business on behalf of the trust as a Trustee without the consent of the other Trustee.

- 4. The trust is currently in full force and effect.
- 5. The trust authorizes you to accept orders and other instructions from the currently acting Trustee.
- 6. The trust indemnifies and holds you harmless from any liability for effecting transactions at the request of any Trustee.
- 7. The Trustee is authorized to employ attorneys, accountants, registered investment advisors, specialists and such other agents as the Trustee shall deem necessary or desirable. The Trustee shall have the authority to appoint an investment manager or managers to manage all or any part of the assets of the trust, and to delegate investment discretions to said manager or managers.
- 8. All other trust provisions are of a personal nature and set forth the distribution of trust property. They do not modify the powers of the Trustees.
- 9. The undersigned Affiant is currently the acting Trustee of the trust and declares that the foregoing statements and any attached exhibits are true and correct, under penalty of perjury.

10. This Proof of Trust is dated July 7, 2006.

ELLEN RAMONA DONALDSON,

Trustee

DAVID R. DONALDSON,

Trustee

STATE OF TENNESSEE

**COUNTY OF SHELBY** 

The foregoing Proof of Trust was acknowledged before me by ELLEN RAMONA DONALDSON and DAVID R. DONALDSON as Trustees on July 7, 2006.

Witness my hand and official seal.

Notary Public

My Commission expire

My Comm. Esp. 8-17-08